

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) Case No. 1:06-CR-88
v.)
)
ERVIN MOORE) COLLIER/CARTER

REPORT AND RECOMMENDATION

A September 28, 2007, letter from A.F. Beeler, Complex Warden of the Federal Bureau of Prisons in Butner, North Carolina, a Certificate of Restoration of Competency to Stand Trial, and a Forensic Evaluation of defendant Ervin Moore were received by the undersigned Magistrate Judge. The findings in the evaluation were that the defendant is now competent to stand trial, that he is not suffering from a mental disease or defect to the extent he is unable to understand the nature and consequences of the proceedings filed against him or assist properly in his own defense. A Waiver of Mental Competency Hearing signed by defendant Ervin Moore was filed with this Court on November 21, 2007. The Court therefore RECOMMENDS on the basis of the waiver and the report that defendant Ervin Moore be found competent to stand trial.

s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE